

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) NO. CR06-41RSL  
Plaintiff, ) ORDER RELEASING EVIDENCE  
v. )  
RICHARD ALLEN FABEL ET AL., )  
Defendants. )

Based upon the representations in the government's motion and the entirety of the files and record in this case, the Court FINDS and RULES as follows:

On April 6, 2007, Evan Thompson, the Forensic Scientist who had examined items of evidence in this case, resigned from the Washington State Patrol Crime Laboratory. The government had planned on calling Mr. Thompson to testify about the findings and conclusions he made based upon his examination.

The government has represented that a current Forensic Scientist at the Washington State Patrol Crime Laboratory will have to re-examine the evidence that Mr. Thompson examined so that a current employee can testify in this case.

Some of the items that will need to be re-examined have been admitted as evidence in this case. Specifically, Exhibits 10.5a & b (the bullets recovered from Mr. Walsh's body), and Exhibit 10.51 (Mr. Walsh's vest) have been entered into evidence and are now in the Court's custody.

1 Therefore, it is HEREBY ORDERED that:

2 Exhibits 10.5a & b and Exhibit 10.51 be released to the government so that they  
3 can be re-examined at the Washington State Patrol Crime Laboratory. They are to be  
4 returned to evidence once the examinations are completed.

5 IT IS SO ORDERED.

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7 DATED this 10<sup>th</sup> day of April, 2007.

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10 Robert S. Lasnik  
11 United States District Judge

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14 Presented by:

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16 United States Attorney

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